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SEP 25 2000

00-ORL-079

Mr. R. F. Stanley
Policy and Negotiations
Nuclear Waste Program
State of Washington
Department of Ecology
P.O. Box 47600
Olympia, Washington 98504

RECEIVED
OCT 19 2000
EDMC

Dear Mr. Stanley:

**SUBMITTAL OF CROSSWALK REVISION #4 LAND DISPOSAL RESTRICTIONS (LDR)
FINAL DETERMINATION REQUIREMENTS TABLE**

Herein, please find the U.S. Department of Energy, Richland Operations Office's (RL) and Office of River Protection's (ORP) Crosswalk (Revision #4) which responds to Ecology's LDR requirements submitted in Ecology's letter dated June 14, 2000. This Crosswalk is in response to the request you made to James E. Rasmussen, ORP, on August 25, 2000, and that Joe Shorin, State Attorney General's Office made to Barbara Williamson, RL. Please note that on July 31, 2000, DOE submitted to Ecology a more in-depth version of this Crosswalk, in the "Interim Report on Hanford Site Land Disposal Restrictions for Mixed Waste," (DOE/RL-2000-39, Revision 0. Volume 2: Progress Report, Table 1) with detailed references to sections of the LDR report where the data were reported.

DOE proposes a meeting for the week of October 2, 2000, with Ecology to discuss the Crosswalk items. DOE remains optimistic that when we explain the work we have done and plan to perform, Ecology will be satisfied with the progress achieved. Please call me at (509) 376-9333 to discuss the meeting, or to discuss this matter further.

Sincerely,

Clifford E. Clark, Acting Program Manager
Office of Regulatory Liaison

ORL:MFJ

Enclosure

cc: See page 2

Crosswalk, Revision #4¹

Requirements	2000 Report	Proposal for 2001 Report
<p>1. "DOE's annual LDR Reports will include a Storage Report that identifies and describes each mixed waste at Hanford. This information will contain the following information for each identified mixed waste (whether or not that waste was included within the previous years LDR Report)":</p>	<p>LDR reports up to and including the 2000 report used a method of waste stream aggregation that has apparently been determined to be unacceptable by Ecology.</p> <p><u>Past Waste Stream Definition:</u> LDR reports included all known applicable LDR mixed waste streams, as aggregated into categories based on current or future long-term storage location and/or planned treatment method. The waste was separated into streams based primarily on physical characteristics and future treatment before disposal.</p> <p>For the 2000 report, this definition resulted in 52 streams of LDR mixed waste being defined. The year 2000 report addressed the inventories of these waste streams currently stored, plus the 5-year generation forecast (consistent with FFCA requirements).</p>	<p>The definition of a waste stream has been revised.</p> <p>New Waste Stream Definition: A waste stream consists of those wastes with common dangerous waste constituents that are derived from a single or similar process that designates as dangerous waste under the <i>Washington State Dangerous Waste Regulations</i> (WAC 173-303). A process could generate more than one waste stream, if the wastes are chemically or physically different in such a way to affect treatment, storage, or disposal requirements. Wastes that are chemically and physically similar, but are generated at different points along a process, or at different locations within the same facility or building, can be considered as one waste stream.</p> <p>The list of waste streams will expand from 52 in the 2000 LDR report to an approximate 450 for the 2001 LDR report, based on new waste stream definition. This will result in a refined reporting level of detail.</p> <p>The 2001 LDR report, from the perspective of waste identification, will include the following:</p> <ul style="list-style-type: none"> • A discussion of the Tri-Party Agreement process (Sections 6.0, 7.0, and 8.0) for ensuring that mixed waste on the Hanford Site will be addressed systematically and contaminated facilities/sites and wastes are managed properly. • Current mixed waste inventory and life-cycle RCRA/CERCLA mixed waste forecasts for the Hanford Site (life-cycle information is provided for informational purposes only. Detailed data will be included for 5-year generation forecasts). <p>The detailed requirements listed (A.1.a through A.1.k) will be included in future LDR reports for each of the included waste streams.</p>

¹ Crosswalk between work performed and annual report as defined by requirements of Ecology's March 29, 2000 Land Disposal Restrictions Final Determination and January 25, 2000 Clarification Letter. This crosswalk is intended for use in pre-hearing discussions with Ecology. This crosswalk is a less in-depth version than revision #3, which was submitted to Ecology in the July 31, 2000 interim LDR report. Revision #1 was issued by DOE to Ecology in a meeting held May 30, 2000, and revision #2 was issued by Ecology in their June 14, 2000, letter to DOE.

Crosswalk, Revision #4¹

Requirements	2000 Report	Proposal for 2001 Report
a. "A specific identification and description for each and all mixed wastes at Hanford."	Identification and description was reported for each waste stream based on old definition above.	Identification and description will be reported for each waste stream based on new definition above.
b. "RCRA hazardous waste code(s), and "state only" waste designation(s)."	RCRA hazardous waste codes are applied to each waste stream unless the waste stream is dangerous by state code only. In those instances, a "state only" code is used.	RCRA hazardous waste codes will be reported for each waste stream unless the waste stream is dangerous by state code only. In those instances, a "state only" code is used.
c. "Information necessary for waste identification and Land Disposal Restriction (LDR) determinations, including a history of how the waste was generated, the source of the hazardous constituents and LDR treatment standards that apply including underlying hazardous constituents (UHC), how the waste was managed prior to storage, and a general timeframe determination which serves to categorize when the waste was placed in storage,"	Information is reported for each waste stream based on old definition above. Available historical information was provided (e.g., how the waste was managed prior to storage).	Information will be reported for each waste stream based on new definition above. Available historical information will be provided (e.g., how the waste was managed prior to storage).
d. "Radioactivity type (i.e., high-level waste, low-level waste, transuranic waste),"	Radioactivity type was reported for each waste stream based on old definition above.	Radioactivity type will be reported for each waste stream based on new definition above.
e. "Physical form of the waste (e.g., solid, liquid, sludge),"	Physical form was reported for each waste stream based on old definition above.	Physical form will be reported for each waste stream based on new definition above.
f. "The quantity of each waste identified,"	The quantity was reported for each waste stream based on old definition above.	The quantity will be reported for each waste stream based on new definition above. In addition to the current inventory, the quantity of waste generated during the reporting period will be reported as additional information.
g. "The physical location and method of storage (if applicable) for each waste identified (e.g., container, tank, surface impoundment, waste pile), including a list of areas permitted for storage of these wastes,"	The physical location was reported for each waste stream based on old definition above. Lists of permitted storage areas generally not included, unless plans exist to move the waste.	The physical location will be reported for each waste stream based on new definition above. A field for a specific list of permitted areas has been added to the data sheet, and likely storage locations will be reported on the data sheet (generally CWC or DST system for most waste). A list of all potential storage facilities will be added to the report text.

Crosswalk, Revision #4¹

Requirements	2000 Report	Proposal for 2001 Report
h. "The results of DOE's assessment of the compliance status of the storage methods pursuant to applicable State and Federal standards (See also text on compliance assessment requirements)"	Results were reported for each waste stream based on old definition above. An indication of in compliance or not in compliance was provided.	A separate report volume summarizing the storage assessments will be prepared. DOE is adding storage compliance assessments to the existing programs. Results from the compliance assessment program will be reported in the 2001 report.
i. "Identification of any releases of hazardous waste or hazardous constituents into the environment from these storage units,"	Releases were reported for each waste stream based on old definition above. However, emissions and releases within the scope of permits were not included, nor were spills that immediately were cleaned up, even if reportable, since other documents and reporting methods cover these items.	Releases will be reported for each waste stream based on new definition above. However, emissions and releases within the scope of permits will not be included, nor will spills that immediately are cleaned up, even if reportable, because other documents and reporting methods cover these items.
j. "Identification of LDR waste generation rates [on a annual basis, or as otherwise requested by Ecology or EPA],"	Generation rates were reported for each waste stream based on old definition above. A 5-year reporting period (reporting by year for the subsequent 5 years with data updated annually) was used, consistent with the FFCA.	Generation rates will be reported for each waste stream based on new definition above. A 5-year reporting period (reporting by year for the subsequent 5 years with data updated annually) will be used, consistent with the FFCA. In addition, summary-level information on longer-term waste projections will be provided.
• "Estimates of the storage capacity for each waste,"	Storage capacity was reported for each waste stream based on old definition, in cases where there was a potential to reach the capacity of the storage location (i.e., CWC and DST System).	Storage capacity will be reported for each waste stream based on new definition above, in cases where there will be a potential to reach the capacity of the storage location. A new data field has been added to the data sheet to be used for any case where storage capacity potentially could be an issue. Changes or scope increase will be incorporated into the 2001 report.
• "The identification of when storage capacity will be reached,"	Storage capacity information was reported for each waste stream based on old definition above, in cases where there was a potential to reach the capacity of the storage location (i.e., CWC and DST System).	Storage capacity information will be reported for each waste stream based on new definition above, in cases where there will be a potential to reach the capacity of the storage location. A new data field has been added to the data sheet to be used for any case where storage capacity potentially could be an issue.

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Requirements	2000 Report	Proposal for 2001 Report
<ul style="list-style-type: none"> • "And the identification of the bases and assumptions used in making these estimates," 	<p>Bases and assumptions were reported for each waste stream based on old definition above, in cases where there was a potential to reach the capacity of the storage location (i.e., CWC and DST System).</p>	<p>In cases where there will be a potential to reach the capacity of the storage location, bases and assumptions will be reported for each waste stream based on new definition above.</p> <p>A new data field, including space for assumptions, has been added to the data sheet to be used for any case where storage capacity potentially could be an issue.</p>
<p>k. "Notification of DOE plans (if necessary) to submit requests for variance(s), case by case extension(s) of LDR requirements, or other exemptions pursuant to Section 3004 of RCRA or State requirements, for each identified waste stream."</p>	<p>There are no storage variances, extensions, etc.</p> <p>Treatment variances were reported for each waste stream, as applicable, based on the old definition.</p>	<p>Have added a data field to proposed data sheet for storage variances, as necessary.</p> <p>Treatment variances will be reported for each waste stream, as applicable, based on the new definition above.</p>
<p>2. "DOE's annual LDR Reports will include all mixed waste types identified as required for inclusion within Ecology's January 25, 2000 "Response to DOE Request for Clarifications", and"</p>	<p>The streams were aggregated by current or future long-term storage location and/or planned treatment method. Some waste categories were not included, as specifically noted in items 29 through 46 of this crosswalk.</p>	<p>Refer to Items 29 through 46 for a list of the January 25, 2000 clarification letter waste types and DOE's plans for inclusion in the 2001 and subsequent LDR reports.</p> <p>The waste stream list will be expanded to approximately 450 streams in the 2001 LDR report from 52 streams in the 2000 LDR report.</p>
<p>"Identification of mixed wastes by location will be by actual current location, i.e., location, accurate to within one hundred twenty (120) days of annual Report issuance."</p>	<p>The streams were aggregated by current or future long-term storage location and/or planned treatment method. December 31 or newer inventory data (120 days before report issuance milestone date) was used when available.</p>	<p>The 2001 report will denote actual storage location versus the aggregated storage based on treatment as was done in previous years.</p> <p>Refer to items 29 through 46 of this crosswalk for a list of the January 25, 2000 clarification letter waste types and DOE's plans for inclusion in the 2001 and following LDR reports. December 31 inventory data will be used, which is 120 days before issuance milestone date for the annual LDR report.</p>
<p>3. "Within sixty (60)-days of Issuance of this Final Determination, DOE will provide written notification of specific organizational units tasked with the responsibility to perform these required storage method compliance assessments."</p>	<p>Timely notification was submitted. (Item has been completed).</p> <p>Written notice describing responsibilities for compliance assessments was provided to Ecology on May 23, 2000.</p>	<p>Timely notification was submitted. (Item has been completed).</p>

Crosswalk, Revision #4¹

Requirements	2000 Report	Proposal for 2001 Report
4. "This notification will include specific schedules for the performance of these assessments at each (mixed waste) storage location, and"	Timely notification was submitted. The Office of River Protection will provide a one-time assessment. RL will provide at least 4 assessments per quarter.	Timely notification was submitted. Additional schedule information will be included in the 2001 report and/or storage compliance program, as appropriate.
5. "a copy of DOE's written procedure to be used in assessing the compliance status of mixed waste storage methods (e.g., satellite storage, ninety (90)-day storage, interim status storage, and final status facility storage) per State and Federal regulations and Section 1.d. of the Requirements for Hanford LDR Plan."	Timely notification was submitted, including the subject procedure.	Timely notification was submitted, including the subject procedure.
6. "This procedure will include, but is not limited to, WAC 173-303 requirements for storage (as a generator, interim status facility, or final status facility), including by reference, WAC 173-303-400 and interim status storage requirements set forth in 40 CFR Part 265."	Timely notification was submitted, including the subject procedure. The noted requirements are included in the assessment program.	Timely notification was submitted, including the subject procedure. The noted requirements are included in the assessment program.
7. "In developing these schedules and procedures, DOE will provide Ecology review and comment opportunity."	Timely notification was submitted.	Timely notification was submitted.
8. "DOE's LDR Reports, beginning with its year 2001 Report, will include the results of all of these storage method compliance assessments (See also requirements for DOE's year 2000 LDR Report ..."	Not applicable to 2000 report. DOE has relied on contractor storage assessments as the main means of establishing and maintaining compliant LDR storage.	Results from a new program of DOE compliance assessments will be reported in the 2001 report. A separate storage compliance volume will be prepared.

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Requirements	2000 Report	Proposal for 2001 Report
<p>9. "DOE's annual LDR Reports, after DOE and Ecology approval, and beginning with its year 2001 Report, will constitute its updated Treatment Plan and Report, and as such shall identify all HFFACO milestones in effect and associated schedules pertinent to the development and implementation of treatment technologies for each Hanford LDR waste."</p>	<p>Requirement, as stated, does not apply to 2000 report.</p>	<p>The year 2001 LDR report will include a treatment plan and report volume. This treatment plan will include all Tri-Party Agreement milestones in effect at the time of publication, relative to treatment of mixed waste.</p> <p>Workoff schedules will be developed and these will be used to propose new Tri-Party Agreement milestones, as necessary, governing the treatment of mixed waste subject to the storage prohibition.</p> <p>An example of milestones that will be used in the development of the 2001 report is: HNF-4293-1, "Project Management Plan for Low-Level Mixed Waste and Greater-Than-Category 3 Waste per Tri-Party Agreement M-91-10." This document identifies schedules and proposes milestones to acquire facilities to treat MLLW.</p> <p>Additional examples are found in the multi-year work plan(s). Many of the milestones in the multi-year work plan are identified as being technology insertion points, meaning that the milestones relate to the development and implementation of treatment technologies for a given waste.</p> <p>Treatment needs and schedules will be identified in the LDR reports. The Tri-Party Agreement process will be used to establish milestones.</p>
<p>10. "For all known LDR wastes not yet covered by the Report (or for which schedules meeting the requirements of this Final Determination have not yet been established), the updated Treatment Plan and Report will propose milestones and associated schedules for incorporation and establishment according to HFFACO Action Plan Section 12.0."</p>	<p>No milestones were proposed in the 2000 report because the report reported on known waste. Newly discovered waste will be included in the next report or issued in an addendum if appropriate.</p>	<p>The year 2001 LDR report will include a treatment plan and report volume. This treatment plan will include all Tri-Party Agreement milestones in effect at the time of publication, relative to treatment of mixed waste.</p> <p>Workoff schedules will be developed and these will be used to propose new Tri-Party Agreement milestones, as necessary, governing the treatment of MLLW.</p>

Crosswalk, Revision #4¹

Requirements	2000 Report	Proposal for 2001 Report
11. "The annual Treatment Plan and Report will be based on the universe of LDR waste identified in compliance with the requirements of this Final Determination, and must include the following for each waste identified:"	The treatment plan is based on the 2000 report waste streams.	All waste identified in the storage section of the 2001 LDR report will be addressed in the treatment plan and report. For the treatment plan and report, individual waste stream typically will be grouped together by common treatment requirements.
a. "For mixed wastes <i>for which treatment technologies exist</i> , a schedule for submitting all applicable permit applications, entering into contracts, initiating construction, conducting systems testing, commencing operations, and processing backlogged and currently generated mixed wastes."	Treatment schedules have been included. Only HFFACO milestones have been included.	<p>Each treatability group will be addressed separately with the requested information being provided as applicable. An example of how these items will be addressed in the treatment plan and report is as follows:</p> <p><u>Treatment Group:</u> MLLW-04B, Hazardous Debris <u>Primary Treatment Path:</u> ATG non-thermal treatment <u>Schedule for Submitting All Applicable Permit Applications:</u> Complete xx/99 <u>Schedule for Entering Into Contracts:</u> Complete (for up to xxx m3) 9/2001 (next xxx m3) <u>Schedule for Initiating Construction:</u> Complete <u>Schedule for Conducting Systems Testing:</u> Complete <u>Schedule for Commencing Operations:</u> Complete 12/99 <u>Schedule for Processing Backlogged and Currently Generated Mixed Waste:</u> Refer to Figure xx.</p> <p>A figure will be used to show the schedule for processing all backlogged and currently generated mixed wastes subject to the storage prohibition at the Central Waste Complex.</p>

Crosswalk, Revision #4¹

Requirements	2000 Report	Proposal for 2001 Report
<p>b. "For mixed wastes for which no treatment technologies exist, a schedule for identifying and developing such technologies, identifying the funding requirements for the identification and development of such technologies, submitting treatability study exemptions, and submitting research and development permit applications."</p>	<p>Treatment technology development milestones are reported.</p> <p>Technology development needs (and schedules as available) will be provided as part of the 2001 report.</p> <p>Many of the plans to develop treatment technologies that currently do not exist are contained in the Hanford Site Technology Needs, which can be found at http://www.pnl.gov/stcg/fy00needs/technology/index.stm.</p>	<p>Schedules for submitting treatability study exemptions and for submitting research and development permit applications will be included in the treatment plan and report as applicable.</p> <p>Technology development needs (and schedules as available) will be provided as part of the 2001 report.</p> <p>Many of the plans to develop treatment technologies that currently do not exist are contained in the Hanford Site Technology Needs, which can be found at http://www.pnl.gov/stcg/fy00needs/technology/index.stm.</p> <p>Technology needs have been identified and planned in HNF-4293-1 (<i>Project Management Plan for Low-Level Mixed Waste and Greater than Category 3 Waste per Tri-Party Agreement M-91-10</i>). This project management plan identifies schedules and proposes milestones to acquire facilities to treat MLLW.</p>

Crosswalk, Revision #4¹

Requirements	2000 Report	Proposal for 2001 Report
c. "For all cases where DOE proposes radionuclide separation of mixed wastes, or materials derived from mixed wastes, it shall provide an estimate of the volume of waste generated by each case of radionuclide separation, the volume of waste that would exist or be generated without radionuclide separation, the estimated costs of waste treatment and disposal if radionuclide separation is used compared to the estimated costs if it is not used, and the assumptions underlying such waste volume and cost estimates."	There were no planned radionuclide separations for mixed waste to report.	This will be included in the treatment plan and report volume of the year 2001 LDR report as applicable. However, there are currently no known planned radionuclide separations to be conducted.
12. "DOE's annual LDR Reports, beginning with its year 2001 Report, will also include an updated Waste Characterization Plan that documents whether or not mixed wastes have been sufficiently ² characterized (along with a notation of data location), and a plan and schedule for the characterization of remaining Hanford mixed wastes."	Waste characterization information has been provided in past reports, based on the past waste stream definition. Future characterization plans have been provided for wastes planned to be characterized.	Each waste treatability group from the treatment plan and report also will be included in a separate characterization plan. The characterization plan will document, by treatability group, whether the waste has been characterized sufficiently for safe storage and management, and whether the waste has been characterized sufficiently for proper treatment. A plan and schedule will be proposed to characterize any waste that is not characterized properly. Mixed waste characterization status will be provided. DOE believes that the waste has been characterized sufficiently to assign numbers and identify applicable LDR treatment standards.
13. "DOE's Waste Characterization Plan will be based on the universe of LDR wastes identified after completion of actions required in this Final Determination to meet the Requirements of the Hanford LDR Plan, and must include the following for each waste identified:"	New streams were included in the 2000 Interim Report after review and characterization.	Mixed waste subject to the storage prohibition identified in the storage section of the LDR report will be addressed in the characterization plan. For the characterization plan, individual waste streams typically will be grouped together by common treatment requirements. A workoff plan will be developed to characterize waste that is currently characterized for safe storage, but not yet characterized for LDR and for treatment. This workoff plan will be inextricably related to the treatment plan and report.

² As used here, the term sufficient is defined as sufficient for purposes of assigning waste and designation codes and identifying applicable LDR treatment standards.

Crosswalk, Revision #4¹

Requirements	2000 Report	Proposal for 2001 Report
a. "Documentation of existing plans and schedules for characterizing identified mixed wastes generated and/or stored at Hanford, including an inventory of each mixed waste identified that has not been sufficiently characterized by sampling and analysis."	Waste characterization information has been provided in past reports, based on the past waste stream definition. Future characterization plans have been provided for wastes planned to be characterized.	Schedules will be included for characterization of mixed waste subject to the storage prohibition that currently is not characterized sufficiently for treatment. These are given in total volume to be characterized per year, and currently are not broken down by waste stream.
b. "Proposed plan(s) and schedule(s) to sufficiently characterize identified mixed wastes generated and/or stored at Hanford, including an inventory of each mixed waste identified that has not been sufficiently characterized by sampling and analysis."	Waste characterization information has been provided in past reports, based on the past waste stream definition. Future characterization plans have been provided for wastes planned to be characterized.	This information will be compiled into the requested format for the characterization plan of the 2001 LDR report. Characterization plans and schedules will be included in the report, consistent with other schedules for treatment/disposal.
• "On approval, such plan(s) and schedule(s) shall be implemented as approved HFFACO primary document requirements."	Issuance as a primary document always has been DOE's practice with the LDR report. Tri-Party Agreement milestones have been identified and established, as necessary, in accordance with primary document protocol by Tri-Party Agreement Change Request submittals.	This will remain the case with the LDR report. Information in the report is considered part of a primary document. Where plans and schedules indicate that changes are needed in Tri-Party Agreement milestones, such changes are accomplished through a Tri-Party Agreement change request.
14. "The waste characterization portion of DOE's annual Report shall delineate the steps necessary to confirm which waste streams are subject to LDR prohibitions and restrictions."	2000 report identified mixed waste subject to the storage prohibition and LDR requirements.	The 2001 LDR report, in accordance with the new waste stream definition, will identify which mixed waste is subject to the storage prohibition and LDR requirements including, but not limited to, waste in TSD unit storage and forecasted waste generation.
15. "Characterization results shall be reported to Ecology as they become available."	2000 LDR report described how data are reported to Ecology in accordance with Tri-Party Agreement Action Plan, Section 9.6, that is, at monthly project manager meetings.	DOE will provide characterization results consistent with Tri-Party Agreement Action Plan, Section 9.6, that is, at monthly project manager meetings.

Crosswalk, Revision #4¹

Requirements	2000 Report	Proposal for 2001 Report
16. "The annual LDR Report will serve as DOE's unified document identifying and describing all Hanford site mixed wastes."	The 2000 report identified all known mixed wastes on the Hanford Site.	The new waste stream definition will be used for the report. Because the annual LDR report will report on the activities of the Hanford Site Mixed Waste Management Program, the report will serve as DOE's unified document describing all Hanford Site mixed waste. The document is a 'unified document' in that information will be reported in one place. Nonetheless, other information might be available that this LDR annual report will reference.
17. "On approval by DOE and Ecology, the annual LDR Report will be published as a primary document under the HFFACO, reflecting its requirements, reporting DOE compliance status, proposing necessary (new waste stream) additions, and supporting HFFACO equivalency to FFCA STPs."	<p>Issuance as a primary document for regulatory approval, always has been DOE's practice with the LDR report.</p> <p>The 2000 report is an interim step to providing information similar to FFCA Site Treatment Plans.</p>	<p>DOE recognizes the LDR report is a primary document. Where plans and schedules indicate that changes are needed in Tri-Party Agreement milestones, such changes are accomplished through a Tri-Party Agreement change request.</p> <p>A separate site treatment plan and report will be issued, as part of the 2001 LDR Report, to meet requirements as noted herein.</p>
18. "The annual LDR Report will serve as the unified site-wide document detailing information required by Ecology and EPA in their April 10, 1990 "Requirements for Hanford LDR Plan" as clarified by this Final Determination."	DOE recognizes the 2000 report is a unified document.	Refer also to response to item #16 of this crosswalk. The document is a 'unified document' in that information will be reported in one place. Other information may be available that this LDR annual report will reference. DOE will follow the 1990 requirements paper and the final determination as noted herein.
19. "In this regard, the annual LDR Report will constitute DOE's updated LDR Plan and Report each year, documenting pertinent plans, actions, and schedules necessary for DOE to comply with LDR and associated HFFACO RCRA requirements."	Reporting was limited to existing Tri-Party Agreement milestones and schedules. The report was updated annually, as required.	Agreed. Refer to response to item #16 of this crosswalk.
20. "As such, the annual LDR Report will, for each mixed waste identified, <u>report DOE actions planned and taken</u> to achieve and maintain full compliance with LDR and associated HFFACO requirements in effect (i.e., as of date of Annual Report issuance)."	Actions planned, consistent with Tri-Party Agreement milestones and schedules were reported. Actions taken during the April 1 through March 31 reporting period were reported. Inventory data was current as of December 31.	Actions taken and planned will be reported. Statement "... (i.e., as of date of Annual Report issuance)..." is inconsistent with Item #2 which requires accuracy within 120 days of issuance of the report. For example, December 31, 2000 cut-off date for inventory data will be used for the 2001 Report. This cut-off date is 120 days before issuance milestone date for annual LDR report.

Crosswalk, Revision #4¹

Requirements	2000 Report	Proposal for 2001 Report
21. "Each waste stream specific report shall include a statement by DOE documenting whether or not "DOE has completed sufficient work to allow for continued compliance as it progresses to meet HFFACO major and interim milestone requirements"."	Not included in past reports. This requirement has been appealed and is awaiting adjudication or settlement.	This requirement appears to go beyond the regulations and is currently under appeal. DOE's entire FY00 submittal is a report that documents DOE's overall status, planning, and progress in mixed waste management and in enhanced reporting. The report reflects information acquired to date. DOE believes it might be prohibitive technically and cost infeasible to make an overall assessment and statement to the specific waste stream level of detail requested. Accordingly, the inclusion of individual reports specifically addressing each waste stream is not planned. The statement will be included if the parties agree upon settlement or if inclusion by an adjudicator is ordered.
22. "The annual LDR Report will also serve as the yearly updating and reporting mechanism for DOE's storage method compliance assessment, DOE's LDR Treatment Plan, and DOE's Waste Characterization Plan."	Annual updates been the practice for the LDR report, and the subject information has been updated, subject to the past waste stream definition.	Annual updates will continue to be produced, subject to the revised waste stream definition as well as expanded reporting on compliance assessments, and separate volumes covering treatment planning and characterization planning.
23. "The annual LDR Report will serve as an annual vehicle for DOE to propose schedules for newly discovered or to be generated mixed wastes not yet covered by the Report or the HFFACO, and"	As a new waste was identified, subject to the past waste stream definition, the waste was added to the report, either as a new waste stream or as additional volume in an existing waste stream, as appropriate.	Newly-identified mixed waste will be added to the report each year, subject to the new waste stream definition. The new format will require the addition of treatment schedules for newly-identified waste and to-be-generated waste (within the 5-year window).
24. "for the modification of current HFFACO schedules as necessary to achieve compliance with LDR treatment requirements in a manner equivalent to STPs as required by the FFCA."	The annual reports have allowed for the proposal of modifications of milestones. The 2000 report and most past reports did not propose new schedules.	While the annual LDR report will identify the need for modifications of current Tri-Party Agreement schedules, such changes are established via the Tri-Party Agreement Action Plan, Section 12.0.
25. "Annual LDR Reports will be submitted as a primary document pursuant to HFFACO milestone series M-26-01 and processed as a primary document pursuant to HFFACO Action Plan Section 9.2.1."	This has been DOE's practice for the LDR report.	This will continue to be the case with the LDR report. Information in the report is considered part of a primary document. Where plans and schedules indicate that changes are need in Tri-Party Agreement milestones, such changes are established via the Tri-Party Agreement Action Plan, Section 12.0.

Crosswalk, Revision #4¹

Requirements	2000 Report	Proposal for 2001 Report
26. "The cover page of DOE's annual LDR Report shall contain the statement "This document has been prepared, submitted, revised and approved as a primary document in response to the requirements of HFFACO milestone series M-26-01 and related RCRA Land Disposal Restriction (LDR) and HFFACO requirements. As such, this document serves as a binding and enforceable document under the HFFACO."	Not included in past reports. This requirement has been appealed and is awaiting adjudication or settlement.	DOE does agree that the annual LDR report is a primary document. However, the issue of whether or not a primary document is <u>enforceable</u> is currently under appeal. Consequently, pending resolution of the appeal, DOE's position is that Ecology's imposition of this requisite goes beyond the requirements of the regulations and the Tri-Party Agreement. The statement will be included if the parties agree upon settlement or if inclusion by an adjudicator is ordered.
27. "Approval of DOE's annual LDR Report as a HFFACO primary document shall be by written approval of DOE and Ecology IAMIT representatives (Signature blocks to follow the above statement)."	Specific regulator approval of the report has not been provided, and the reports contained no signature blocks.	DOE does not agree with this requirement, as the requirement is not in keeping with the existing process for approval of primary documents under the Tri-Party Agreement. Refer to Item 26.
28. "DOE's year 2000 submittal shall be an interim report documenting known information (all categories), and detailing actions taken by DOE to fully comply with the requirements of this determination."	As stated, not applicable to past reports. The interim report (2000 submittal) met this requirement through issuance of an implementation plan and a progress report.	Not applicable. (2001 report will not be considered an <u>interim</u> report.)
Requirements from Ecology's January 25, 2000 letter.		
29. DOE's annual LDR Reports will include: "Mixed hazardous waste subject to the LDRs when stored in permitted or unpermitted TSD storage > 1 year"	Incorporated, based on the past waste stream definition. Note: The "past waste stream definition" caveat also applies to all waste categories below.	This waste category will be included in future LDR reports, subject to the new waste stream definition.
30. DOE's annual LDR Reports will include: "Mixed hazardous waste, subject to the LDRs, that does not yet meet treatment standards, when stored in permitted or unpermitted TSD units < 1 year"	Not incorporated. The 2000 and previous LDR reports were based on long-term storage, defined as >1 year.	This waste category will be included in future LDR reports.

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Requirements	2000 Report	Proposal for 2001 Report
31. DOE's annual LDR Reports will include: "Mixed hazardous waste, subject to the LDRs, that meets treatment standards, when stored in permitted or unpermitted TSD units"	Included (e.g., 183-H waste at CWC). However, waste streams that have treatment pathways in place but the waste is not yet treated, e.g., Liquid Effluent Retention Facility, was not included within the report scope.	This waste category will be included in future LDR reports.
32. DOE's annual LDR Reports will include: "Mixed hazardous waste not subject to the LDRs, when stored in permitted or unpermitted TSD units > 1 year"	Included, e.g., GTC3 waste and TRUM waste.	This waste category will be included in future LDR reports.
33. DOE's annual LDR Reports will include: "Mixed hazardous waste not subject to the LDRs, when stored in permitted or unpermitted TSD units < 1 year"	Not incorporated in past LDR reports. The 2000 and previous LDR reports were based on long-term storage, defined as >1 year.	This waste category will be included in future LDR reports.
34. DOE's annual LDR Reports will include: "mixed hazardous waste that has already been land disposed, ... when wastes are removed from the land or treated in the land disposal unit; also applies to materials derived from land disposed wastes, e.g., leachate"	Not included, as disposed waste is not subject to the storage prohibition. When waste is retrieved from disposal, such waste is considered newly generated and would be included in the report.	Will not be included, as disposed waste is not subject to the storage prohibition. If disposed waste is removed from disposal, the waste will be considered newly generated, will be managed in accordance with LDR regulations, and will be reported in the LDR annual report.
35. DOE's annual LDR Reports will include: "Mixed hazardous waste accumulated in satellite accumulation areas" should such waste not be managed in accordance with satellite accumulation area requirements, and/or will not be moved to compliant TSD unit storage and accounted for in the following annual LDR Report."	Not included as separate waste streams or accumulation locations unless being managed inconsistently with SAA regulations and an extension or variance does not exist. Forecasted waste volumes have included this waste category.	Will not be included as separate waste streams or accumulation locations. Forecasted waste volumes will include this category. Mixed waste in satellite accumulation areas will not be included in the report. Should such mixed waste not be managed in accordance with satellite accumulation area rules, the mixed waste will be included in the report.
36. DOE's annual LDR Reports will include: "Mixed hazardous waste accumulated in 90-day accumulation areas" should such waste not be managed in accordance with 90-day accumulation area requirements, and/or will not be moved to compliant TSD unit storage and accounted for in the following annual LDR Report.	Not included as separate waste streams or accumulation locations unless stored for greater than 90 days without an extension or variance agreement. Forecasted waste volumes have included this waste category.	Will not be included as separate waste streams or accumulation locations, unless stored for greater than 90 days without an extension or variance agreement. Forecasted waste volumes will include this waste category.

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Requirements	2000 Report	Proposal for 2001 Report
37. DOE's annual LDR Reports will include: "CERCLA mixed hazardous waste accumulated, treated, stored or to be disposed of"	Included only to the extent CERCLA-generated mixed waste is stored at CWC. Five-year forecast accounts for suspect mixed waste generation. Included with CWC storage volumes and projections.	For waste from CERCLA remediation that is sent to, or projected to be sent to, RCRA storage or treatment facilities, this waste category will be included in future LDR reports. For CERCLA mixed waste sent to ERDF, this waste category will be included in future LDR reports. Suspect mixed waste generation is reported in 5-year and life-cycle forecasts.
38. DOE's annual LDR Reports will include: "Mixed hazardous waste yet to be generated" e.g., projected generation.	Included, for materials projected to become waste, for the 5-year generation forecast, consistent with the FFCA.	This waste category will be included in future LDR reports, for materials projected to become waste, for the 5-year reporting period, consistent with the FFCA. (Refer to EPA, FaxBack #11841 for an EPA finding related to yet-to-be-generated waste. Refer to Section 1.2 of this progress report for information on 5 year and longer generation projections.)
39. DOE's annual LDR Reports will include: "Mixed state-only dangerous waste, subject to the state-only LDRs, that does not yet meet treatment standards, stored for any period of time"	Included for long-term storage.	This waste category will be included in future LDR reports, subject to the new waste stream definition.
40. DOE's annual LDR Reports will include: "Mixed state-only dangerous waste not subject to the state-only LDRs, stored in permitted or unpermitted TSD units for any period of time"	Included for long-term storage.	This waste category will be included in future LDR reports, subject to the new waste stream definition.
41. DOE's annual LDR Reports will include: "Mixed state-only dangerous waste subject to the LDRs that meets treatment standards, stored in permitted or unpermitted TSD units"	Included for long-term storage.	This waste category will be included in future LDR reports, subject to the new waste stream definition.
42. DOE's annual LDR Reports will include: "mixed state-only dangerous waste that has already been land disposed ... when wastes are removed from the land or treated in the land disposal unit; also applies to materials derived from land disposed wastes, e.g., leachate"	Not included, as disposed waste is not subject to the storage prohibition. However, when waste is retrieved from disposal, it will be included in the LDR report as a newly generated waste.	Will not be included, as disposed waste is not subject to the storage prohibition. If disposed waste is removed from disposal, the waste will be considered newly generated, will be managed in accordance with LDR regulations, and will be reported in the LDR annual report.

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Requirements	2000 Report	Proposal for 2001 Report
<p>43. DOE's annual LDR Reports will include: "Mixed state-only dangerous waste accumulated in satellite accumulation areas" should such waste not be managed in accordance with satellite accumulation area requirements, and/or will not be moved to compliant TSD storage and accounted for in the following annual LDR Report.</p>	<p>Not included as separate waste streams or accumulation locations because such wastes were moved to compliant storage. Forecasted waste volumes have included this waste category.</p>	<p>Will not be included as separate waste streams or accumulation locations unless such waste is not managed in accordance with satellite accumulation area requirements, and/or will not be moved to compliant TSD storage and accounted for in the following annual LDR Report. Forecasted waste volumes will include this waste category.</p>
<p>44. DOE's annual LDR Reports will include: "Mixed state-only dangerous waste accumulated in 90-day accumulation areas" should such waste not be managed in accordance with satellite accumulation area requirements, and/or will not be moved to compliant TSD storage and accounted for in the following annual LDR Report.</p>	<p>Not included as separate waste streams or accumulation locations because mixed waste in such areas was moved to compliant storage. Forecasted waste volumes have included this waste category.</p>	<p>Will not be included as separate waste streams or accumulation locations unless such waste was not managed in accordance with 90-day storage requirements and not moved to complaint storage. Forecasted waste volumes will include this waste category.</p>
<p>45. DOE's annual LDR Reports will include: "CERCLA mixed state-only dangerous waste accumulated, treated, stored or to be disposed of."</p>	<p>Included only to the extent CERCLA-generated mixed waste is stored at CWC. Included with CWC storage volumes and projections.</p>	<p>For waste from CERCLA remediation that is sent to, or projected to be sent to, RCRA storage units, this waste category will be included in future LDR reports. For CERCLA waste sent to ERDF, this waste category will be included in future LDR reports.</p>
<p>46. DOE's annual LDR Reports will include: "Mixed state-only dangerous waste not yet to be generated" e.g., projected generation.</p>	<p>Included, for materials projected to become waste, for the 5-year generation forecast, consistent with the FFCA.</p>	<p>This waste category will be included in future LDR reports, for materials projected to become wastes, for the 5-year reporting period, consistent with the FFCA.</p>

SEP 25 2000

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